

(Not official translation- legal text is in Arabic)

Republic degree of the act No. (33) of the year 1991 Regarding the trade –Registration

After the acquainted on the declaration (announcement) of the Yemen's Republic. And on the Yemen's Republic constitution No. (1) of the year 1990 for the formation of the cabinet and after the agreement of the cabinet. It is decided:

First chapter: Titling and definitions

Article (1):

The act is named the act of the trade registration.

Article (2):

Each one of the following pronunciations and expression has the meanings which has indicated in front of them, unless the context of the text refers to another meaning out of this act. A Republic: The Republic of Yemen. A Ministry: The Trade and Supply Ministry. A Trade's registration: A special note for the traders, which within it, has been specialized (allotted) page for each one subjected to this act. Trader: Any natural or considerable (honorable) person who his profession, is a commercial activity, and intends to buy or sale or rent and all contractors, whatever they are, and brokers and agents by commission or (Gomonsong) on and commercial brokers and agents, whatever they are, and the importers and exporters, and those who work the field of banking and the sea-freight, the land-freight or the air-freight and all companies with its all kinds, and whatever its purposes and each one who is deals in one of commercial business or rules of the Republic which has testified that he is be considered as the trader.

Second chapter: Duties of traders and Requirements of the trade-registration.

Article (3):

1. A single trader must introduce an application in order to enrolls his name in the registration of trade within thirty days starts from the date of the inauguration of a shop, or his possess or inauguration of a branch or an agency. And the application must be enclosed with papers or the particulars which may be decided by the execution-list. 2. All companies directors who their companies has established in the Republic or which its headquarter has sited in the Republic, must introduce an application, that to enroll, a company in the trade-registration within thirty days, starts from a date of its establishment or date of license it that the application of enrollment, must be enclosed with authorized copy of the establishment contract, and fundamental system and the decision of the license regarding companies of the public money () and the original copy of the company's establishment contract which are individual companies papers and other particulars which may be decide by the execution-list. 3. All the officials people and the legal representatives for the general establishments and corporations which work in commercial activity or the co-operative societies of commercial purposes, must introduce an application of the enrollment in the trade-

registration within thirty days, starts from the date of establishes them or license for them. And the application of enrollment, must be enclose with a copy from the establishment's act or the general cooperation and a permit of a competent source and the fundamental system regarding the co-operative societies and the other papers as well as particulars which be determined by the execution-list. 4. Persons in charge of the branches administration or commercial agencies which follow to foreign companies or establishment which its headquarter is outside of the Republic, must introduce an application of the enrollment of the branch or the agency within thirty days start from a date of collect the agency. And they must enclose with the application of enrollment photo-copy from foreigners company's establishments' contract and its fundamental system, and the agreement of agency, with an authorized translation to the Arabic from a competent source, and papers as well as particulars which the execution-list determines the. A numerous of the enrollment of the trade-registration is accordingly to the numerous of shops branches, and agencies which may follow to single-trader or a considerable (honorable) one, if they are disassociate from the shop or the headquarter according to each a site of them.

Article (4):

All persons have been mentioned in the third article of this act, must inform the competence's trade's registration's office about all changes which happen in the enrollment particular within thirty days start from a date of the hang. And they must attach (enclose) with the application, papers which be determined by the execution-list for this act.

Article (5):

The enrollment in the trade-registration be renewed annually and the application be introduced from the enrollers in this registration within in the first month. After the termination of a year from a date of the enrollment, or from a date of the last renewal and the application must be enclosed with papers and particulars which execution-list determines them.

Article (6): It's allowed to any person that to gets this issued photo-copy form the trade-registration, and that can happen after a payment of payable fees which have to be paid by each trader who have got the written particulars in the trade-registration, and in event of non-existence of provided an applicant has negative testimony of that and the issued photo-copy shouldn't be included the provision of the bankruptcy's disclose (declaration) if he has re-reputed and it shouldn't also be included the decision of the detention or freeze, if they were released and it's not allowed to any person that to acquaint on particulars or documents which belong to any trader in the registration's office after payable fees.

Article (7):

1. Any trader has overwhelmed by the provision of this act, must reminds in his written and his printings which regarding his commercial business and on his commercial (store) shop's front. A number of the trade-registration which belong to him as well as his trade-name and these particulars, must be in conformity with particulars which has mentioned in the trade-registration. 2. A testimony of the

enrollment, which is in the trade-registration or the copy of that, must be kept in the seen able place on the commercial shop which may such testimony belong to it.

Article (8):

A trader or his inheritors or their guardians or their custodians or liquidators according to conditions, can demand in the written that to cancel the enrollment which is in the trade-registration within thirty days, start from a date of occurrence any of the following conditions. A. When trader left has his trade finally, either by resign from a trade an immigration or transfers a possession of a shop to another person or for the any other reason. B. A death of trader. C. The Liquidate of company whether the liquidate is through an agreement or according to a contract of company, or by a judicial judgment or through a decision from a competent source. And the application of enrollment's canceling must be enclosed with a photo-copy of the original enrollment's application and a photo-copy of a modification's application, if that happen, and papers as well as particulars which the execution-list determine them.

Article (9):

If the application of cancellation for the enrollment wasn't introduced, from textual persons in the Article (8) from this act. The registration's office can deletes the enrollment personally after be sure from reasons which has led to the such deletion and that must be informed to person may concern and the relative sources within two weeks start from the date of such prosecute.

Third chapter: General provisions

Article (10):

The trade-registration offices shall be established in the capitals of governorates and in any other areas in a governorate and that shall be, according to the development of a commercial activity within them and it they must enroll names of traders who have been subject to the provision of this act whether they are Yemeni or foreigners with reference to the provisions of the investments act.

Article (11):

1. Practice of the trade in a commercial shop, be restricted unless the owner of that shop was enrolled in the commercial registration where the site of the commercial shop. And the character (property) of the trader be gained from the date of enrollment in the registration unless he proves that character (property) through another method (way). 2. It's not allowed to anyone that to work as importer or exporter or contractor or broker or commissioned agent whatever, he is, unless he have not got a fix shop in the Republic where he can conducting his profession within it. 3. The minister can frees the small trader who determine by him, from subordinate for the provisions this act.

Article (12):

1. All the competent corporations which has allowed to incur (impose) penalties and appointing the resident for those who the freeze was imposed against them. Or to suspend the freeze from them or appoint agents for those who are absent or dismiss them or issue the provisions for abolish of the companies or rescind them or appoint the liquidators for them, or dismiss them or issue the provisions of bankruptcy's disclose or cancel them or appoint a time in order to stop a payment for credits or the provisions of the bankruptcy lack or reopening it or provisions of re-prestige or the commands which has issued in a preventive reconcile from the bankruptcy or the to detain on the trader's money so the competent corporations must informing the competent registration's offices and provide them with photo-copy of final provisions and orders, and upon such mentioned offices, enroll the conclusion of the such provisions in a private newspaper. 2. Relative source with the traders should never decide in any deal which relate to trader's trade or their commercial business unless it confirmed about them whether they collected the an enrollment or a renewal in the commercial registration, by this way, they follow the execution of provisions of this act.

Article (13):

The Labors of trade's registration have got a right to inspect commercial shops which site within spot of their specialization in order to investigate about the responsible person toward such commercial shape are follow to the provisions of this act.

Article (14):

It's allowed to those whose the application of enrollment or the renewal or the change or the canceling form the trade-registration were rejected. So they can introduce their claims in written to the minister within thirty days starts from the date of application's rejection be final and not refutable.

Article (15):

The ministry has to publish a private newspaper, which relate to reveal of the enrolled person particulars within it, over the rest of Republic's location, and which is calling (the commercial name's newspaper). And also the particulars of other registration's works be published with in it, whether that the particulars are amendment's or renewals or cancellation and the list of execution be the determinant of particulars which be published in the such newspaper. Chapter four The penalties

Article (16):

1. Any one violates the provisions in paragraph (1) from the article (3) for this act, be punished through the financial forfeit per each month of lateness from fixed date for the introduce of applications which are (YR 1000), one thousand Yemeni Riyal. 2. Each one violates the provisions in the two paragraph (2) and (3) from the Article (3) for this act, be punished through the financial forfeit per each month of lateness from a fixed date to introduce the application which is (YR 2500), two thousand and five hundred Yemeni Riyal. 3. Each one violates the provisions in the paragraph (4) of the Article (3) from this act, be punished through the financial forfeit per each month of lateness from a fixed date for the application, which is (YR 4000) four thousand

Yemeni Riyal. 4. Each one violates the provisions in the paragraph (1) form the Article (11) for this act, be punished through the financial forfeit which is (YR 1000), one thousand Yemeni Riyal. The various forfeit shall be imposed accordingly to numbers of shops or branches or agencies which were not introduce the application of enrollment for them. And the decision of closing up the shop be issued and the forfeit be imposed, if the period of lateness was exceed (beyond) the three months.

Article (17):

Everyone violates the provisions of the two Article (4), (5) for this act be punished with the financial forfeit which is (YR. 1000), one thousand Yemeni Riyal for each a completed month without introduce application of the mention for the amendment or the renewal in the date.

Article (18):

Everyone violate the provisions in the article (7) for this act, be punished with financial forfeit which is (YR. 2000), two thousand Yemeni Riyal. And the forfeit be multiplied when the re-violate was takes place once more.

Article (19):

Everyone violates the provisions of the article (8) for this act, be punished with the financial forfeit which is (YR. 2000), two thousand Yemeni Riyal. And the exception be included the inheritors (heirs) of the expired trader.

Article (20):

Everyone violates the paragraph (2) from the article (11) for this act, be accessible to a forfeit which is (YR. 2000), two thousand Yemeni Riyal for each month. That he conduct his profession and the violators, be stopped if he continue his activity without introduce the application of enrollment.

Article (21):

Without commit a violation to any severe penalty, which has ordered by another act, if so, everyone who commit that be imprisoned. For a period not less than two months and not more than a year or a forfeit which is not less than (YR. 5000), five thousand Yemeni Riyal. And not more than (YR. 10,000), ten thousand Yemeni Riyal such above mentioned penalty within article (21) be applied, on the following persons: A. Each one introduces incorrect particulars, which relate to the application of enrollment, or ticks in the registration, of trade or the renewal or the omission, and the competent registration's office undertakes necessary procesures for the corrections and after it has executed the penalty. B. Everyone mentions in his shop-front or within any correspondences or the printed papers or the papers relate to his trade, a trade's name or an entry no. which is not belong to him or he's mentions in way that refers to the enrollment without he's collects it.

Article (22):

Everyone who violates the Article (14) from the such act, shall be punished for each following month to the fixed period to introduces applications or conciliates the conditions of enrolled persons before issue of this act, shall be paid a forfeit which is (3000), three thousand Yemeni Riyal.

Article (23):

1. The apply of penalties which has textified in the such chapter by the decision of general manager of the trade-registration or the manager of ministry's branch. And that, after the acquaints on the papers and the investigation which are conducted by the trade-registration's office where violation takes place in (its specialized spot). 2. It's not allowed to apply any penalty unless the violators' speeches were listened or his representative's speeches, and he's completely implements his defense unless he's refuses to have the attendance at the time which be fixed by the trade-registration's office even though he's warned, and without acceptable justification. 3. Decisions must be reasonable (justifiable) otherwise, shall be abolished and shouldn't be considered final as well as shouldn't be executed unless fifteen days pass from the date of decision's photo-copy's was delivered to a relative person or it's dispatched to him a written note without he's complains from it. And the complain (appeal) shall be stopped in the mentioned time for the execution of decision until a decision takes place regarding it, and it's shall be introduced in the mentioned time to the minister and his decision shall be final in this.

Article (24):

Each trader in the Republic, when this act, be issued, he's must adjusts his conditions according to the such act, within a period which is not exceeding it the six months from the date of work with it.

Article (25):

The minister is one who shall decides the decisions, orders, instructions, and necessary regulations for the apply the provisions of the such act which privately include as follows: 1. The execution-list. 2. The shape of trade registration and the method of enroll and the tick of renewal, and the omission. 3. Procetures and the offers for registration. 4. Classify the kinds of traders and prepare the numbers of indexes which are keep names of traders, companies, considerable persons and, co-operative societies which are conduct the commercial activity and other institutions which are enrolled in the trade-registration. 5. Prosctures and the terms of re-enrollment of traders who have been cancelled from the trade-registration.

Article (26):

Special fees for the enrollment's service's cost or the re-enrollment or the tick and the renewal, and the fees of the issuing or any other fees may result from the trade-registration's services be issued by the decision of cabinet according to the minister's order.

Article (27):

The act No. (17) dated 1972, regarding the trade-registration, which has issued in Sana'a Dated 30/10/1972 and the act No. (14) dated 1968. Regarding the trade-registration which has issued in Aden dated 24/8/1968, be cancelled.

Article (28):

This decision be effective as act from the date of its issues and be published in the official newspaper. It has been issued in the Republic's presidency in Sana'a Dated 28/ Ramadan / 1414 Corresponds to 13 April / 1991

Hayder Abubaker Altas
The Cabinet president

Ali Abdulllah Saleh
The presidency's President